

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

TIMOTHY L. FREE,
Plaintiff,

v.

MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL SECURITY,
Defendant.

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**No. 3:07-CV-186
(Phillips/Guyton)**

ORDER

This Social Security appeal is before the court on the report and recommendation filed by United States Magistrate Judge H. Bruce Guyton [Doc. 20]. There have been no timely objections to the report and recommendation, and enough time has passed since the filing of the report and recommendation to treat any objections as having been waived. See 28 U.S.C. § 636(b)(1); Fed.R.Civ.P. 72(b).

After a careful review of this matter, the court is in complete agreement with the magistrate judge's conclusion that plaintiff's motion for attorney fees and costs be granted. Accordingly, the court **ACCEPTS** the report and recommendation under 28 U.S.C. § 636(b)(1) and Fed.R.Civ.P. 72(b). It is **ORDERED**, for the reasons stated in the report and recommendation, which the court adopts and incorporates into its ruling, that

plaintiff's motion for attorney fees and costs [Doc. 14] is **GRANTED**, whereby (1) the court awards the payment of attorney's fees, pursuant to 42 U.S.C. § 406(b), in the amount of \$1,000.00; (2) the court further awards attorney's fees, pursuant to the EAJA, in the amount of \$3,950.00 with said fees to be paid directly to plaintiff; and (3) the court also awards costs in the amount of \$350.00 and expenses in the amount of \$16.14.

IT IS SO ORDERED.

ENTER:

s/ Thomas W. Phillips
United States District Judge